

which was recommended at an open Board meeting, and need no additional time to comply with this rule; and (3) interested persons are provided a 30-day comment period in which to respond. All comments timely received will be considered prior to finalization of this action.

#### List of Subjects in 7 CFR Part 982

Filberts, Hazelnuts, Marketing agreements, Nuts, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 982 is amended as follows:

#### PART 982—FILBERTS/HAZELNUTS GROWN IN OREGON AND WASHINGTON

1. The authority citation for 7 CFR part 982 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

2. Section 982.243 is added to read as follows:

**Note:** This section will not be published in the annual Code of Federal Regulations.

#### § 982.243 Free and restricted percentages—1994–95 marketing year.

(a) The interim final free and restricted percentages for merchantable filberts/hazelnuts for the 1994–95 marketing year shall be 19 and 81 percent, respectively.

(b) The final free and restricted percentages for merchantable filberts/hazelnuts for the 1994–95 marketing year shall be 23 and 77 percent, respectively.

Dated: January 24, 1995.

**Sharon Bomer Lauritsen,**

*Deputy Director, Fruit and Vegetable Division.*

[FR Doc. 95–2214 Filed 1–27–95; 8:45 am]

BILLING CODE 3410–02–P

#### SMALL BUSINESS ADMINISTRATION

##### 13 CFR Part 101

##### Administration

**AGENCY:** Small Business Administration.

**ACTION:** Final rule.

**SUMMARY:** This action is necessary to reflect internal changes which have occurred in the Small Business Administration (SBA). This revision will enhance SBA's ability to process Small Business Institute (SBI) Grants. The SBA is hereby revising its delegation of authority to allow District Directors to execute SBI grants up to \$25,000.

**EFFECTIVE DATE:** January 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Sharon Gurley, Director, Office of Procurement and Grants Management, 202/206–6622.

#### List of Subjects in 13 CFR Part 101

Administration.

For the reasons set forth above, part 101 of title 13, Code of Federal Regulations (CFR), is amended as follows.

#### PART 101—ADMINISTRATION

1. The Authority citation for Part 101 continues to read as follows:

**Authority:** Secs. 4 and 5, Pub. L. 85–536, 72 Stat. 384 and 385 (15 U.S.C. 633 and 634, as amended); sec. 308, Pub. L. 85–699, 72 Stat. 694 (15 U.S.C. 687, as amended); sec. 5(b)(11), Pub. L. 93–386 (Aug. 23, 1974); and 5 U.S.C. 552.

2. Part X of Section 101.3–2 is amended by adding a new paragraph 3 to read as follows:

#### § 101.3–2 Delegations of authority to conduct program activities in field offices.

\* \* \* \* \*

#### Part X—Administrative

\* \* \* \* \*

3. To execute Small Business Institute Grants authorized by the Small Business Act and in accordance with applicable regulations and OMB Circulars. This authority is non-delegable.

District Directors.....Up to \$25,000

Dated: January 23, 1995.

**Philip Lader,**

*Administrator.*

[FR Doc. 95–2147 Filed 1–27–95; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

##### 14 CFR Part 39

[Docket No. 94–NM–248–AD; Amendment 39–9125; AD 95–01–51]

#### Airworthiness Directives; Airbus Model A300, A300–600, A310, A330, and A340 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) T95–01–51 that was sent previously to all known U.S. owners and operators of Airbus Model A300, A300–600, A310,

A330, and A340 series airplanes by individual telegrams. This AD requires an inspection of the sliding side windows in the cockpit to identify the part number of the windows. For airplanes on which a certain suspect window is installed, this AD requires either deactivation of the sliding window defogging system; or installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the defogging system, if necessary; or replacement of the window with a serviceable window. This amendment is prompted by reports of fracture of the sliding side window in the cockpit, due to thermal stress created by overheating of the wires of the heating element in a localized area. The actions specified by this AD are intended to prevent such fractures, which could lead to rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage.

**DATES:** Effective February 14, 1995, to all persons except those persons to whom it was made immediately effective by telegraphic AD T95–01–51, issued December 29, 1994, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 14, 1995.

Comments for inclusion in the Rules Docket must be received on or before March 31, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 94–NM–248–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The applicable service information may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Stephen Slotte, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2797; fax (206) 227–1320.

**SUPPLEMENTARY INFORMATION:** On December 29, 1994, the FAA issued telegraphic AD T95–01–51, applicable to all Airbus Model A300, A300–600,

A310, A330, and A340 series airplanes, which requires an inspection of the sliding side windows in the cockpit to identify the part number of the windows. For airplanes on which a certain suspect window is installed, this AD also requires either deactivation of the sliding window defogging system; or installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the defogging system, if necessary; or replacement of the window with a serviceable window.

That action was prompted by a report indicating that, during approach for landing, the left-hand sliding side cockpit window installed on a Model A300 B4-200 series airplane fractured. Subsequently, a similar incident occurred during climb on a Model A300-600 series airplane. These windows, which were manufactured by PPG Industries, are installed on Model A300, A300-600, A310, A330, and A340 series airplanes. When these incidents occurred, the windows installed on the Model A300 B4-200 airplane had accumulated 688 hours time-in-service and 621 flight cycles; the windows installed on the Model A300-600 airplane had accumulated 460 hours time-in-service and 232 flight cycles. Subsequent investigation revealed that, in both cases, the two structural plies of the windows were fractured. However, the outer, non-structural, glass ply of the window was not affected.

Results of a failure analysis of these incidents indicated that the fractures of both structural plies occurred due to thermal stress created by overheating of the wires of the heating element in a localized area. This condition, if not corrected, could result in rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage.

Airbus has issued All Operators Telex (AOT) 30-01, dated December 22, 1994, which describes procedures for an inspection of the left- and right-hand sliding side windows in the cockpit to identify the part number of the windows. For airplanes equipped with certain suspect windows manufactured by PPG Industries, the AOT also describes procedures for deactivation of the associated window defogging system; installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the window defogging system, if necessary; and replacement of the sliding windows with serviceable windows.

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, classified the Airbus AOT as mandatory and issued three telegraphic French

airworthiness directives in order to assure the continued airworthiness of these airplanes in France. The French airworthiness directives are identified as follows:

- 94-283-006(B) (for Model A330 series airplanes);
- 94-284-014(B) (for Model A340 series airplanes); and
- 94-285-173(B) (for Model A300, A310, and A300-600 series airplanes).

All of these AOT's are dated December 28, 1994.

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design registered in the United States, the FAA issued Telegraphic AD T95-01-51 to prevent rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage. The AD requires an inspection of the left- and right-hand sliding side windows in the cockpit to identify the part number of the windows. If a suspect window is installed, this AD requires accomplishment of one of the following actions:

1. Deactivation of the sliding window defogging system; or
2. Installation of thermo-sensitive indicators, daily inspections of those indicators, and deactivation of the defogging system, if necessary; or
3. Replacement of the window with a serviceable window. The actions are required to be accomplished in accordance with the AOT previously described.

This is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual telegrams issued on December 29, 1994, to all known U.S. owners and operators

of Airbus Model A300, A300-600, A310, A330, and A340 series airplanes. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

#### Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94-NM-248-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation

that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

##### § 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**95-01-51 Airbus Industrie:** Amendment 39-9125. Docket 94-NM-248-AD.

**Applicability:** All Model A300, A300-600, A310, A330, and A340 series airplanes, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent rupture of a cockpit sliding window and subsequent rapid decompression of the fuselage, accomplish the following:

(a) Within 7 days after the effective date of this AD, perform an inspection of the left- and right-hand sliding side windows in the cockpit to identify the part number (P/N) of those windows, in accordance with paragraph 4.1 of Airbus All Operators Telex (AOT) 30-01, dated December 22, 1994.

(b) If no window manufactured by PPG Industries having P/N NP175202-1 (left-hand side) or NP175202-2 (right-hand side) is installed, no further action is required by this AD.

(c) If any window manufactured by PPG Industries having P/N NP175202-1 (left-hand side) or NP175202-2 (right-hand side) is installed, prior to further flight, accomplish either paragraph (c)(1), (c)(2), or (c)(3) of this AD in accordance with Airbus AOT 30-01, dated December 22, 1994.

(1) Deactivate the associated sliding window defogging system in accordance with the procedures specified in paragraph 4.2.2 of the AOT. The defogging system may remain deactivated until the window is replaced in accordance with paragraph (c)(3) of this AD. Or

**Note 2:** This AD may permit the defogging system to be deactivated for a longer time than is specified in the Master Minimum Equipment List (M MEL). In any case, the provisions of this AD prevail.

(2) Install thermo-sensitive indicators in two areas of the sliding side window (left- and right-hand sides) in accordance with the procedures specified in paragraph 4.3 of the AOT. Thereafter, perform a daily inspection of the indicators to determine if the 60-degree segment of any indicator turns from light grey to black, in accordance with the procedures specified in paragraph 4.3 of the AOT. If any indicator turns black, prior to further flight, deactivate the associated sliding window defogging system in accordance with paragraph (c)(1) of this AD. Or

(3) Replace the PPG Industries window with a serviceable window manufactured by PPG Industries or by SPS, in accordance with the procedures specified in paragraph 5.1 of the AOT. After such replacement, no further action is required by this AD.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(e) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the

Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) The actions shall be done in accordance with Airbus All Operators Telex 30-01, dated December 22, 1994. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on February 14, 1995 to all persons except those persons to whom it was made immediately effective by telegraphic AD T95-01-51, issued December 29, 1994, which contained the requirements of this amendment.

Issued in Renton, Washington, on January 19, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 95-1845 Filed 1-27-95; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 94-NM-236-AD; Amendment 39-9129; AD 95-02-10]

#### Airworthiness Directives; Boeing Model 757 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 757 series airplanes. This action requires replacement of the bolts, nuts, and washers that attach the support bracket at the Number 4 and Number 5 transmissions to the wing flap structure. This amendment is prompted by a report of damage to the left inboard trailing edge flap. The actions specified in this AD are intended to prevent these airplanes from taking off with broken bolts that attach the transmission bracket to the wing flap track structure, which could result in the airplane rolling at liftoff.

**DATES:** Effective February 14, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 14, 1995.

Comments for inclusion in the Rules Docket must be received on or before March 31, 1995.